

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD NOVEMBER 5, 2013, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

CALL TO ORDER AND ROLL CALL

Mayor Joens called the meeting to order at 6:00 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Karen Pfeifer, Vice Mayor
Jesse Dowling, Council Member
Randy Garrison, Council Member
Ruben Jauregui, Council Member

COUNCIL MEMBERS ABSENT

Tim Elinski, Council Member
Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Marianne Jiménez, City Clerk
Steve Horton, City Attorney
Roger Biggs, Utilities Department Administrative Manager
David Hausaman, Public Works Project Manager
Rudy Rodriguez, Administrative Services General Manager

PLEDGE OF ALLEGIANCE

Barbara Litrell led the Pledge and Mayor Joens presented her with a certificate of appreciation for leading the Pledge.

BRIEF SUMMARY OF CURRENT EVENTS BY MAYOR, CITY COUNCIL AND/OR CITY MANAGER--THE PUBLIC BODY DOES NOT PROPOSE, DISCUSS, DELIBERATE OR TAKE LEGAL ACTION ON ANY MATTER BROUGHT UP DURING THIS SUMMARY UNLESS THE SPECIFIC MATTER IS PROPERLY NOTICED FOR LEGAL ACTION

Mr. Bartosh stated Saturday was Walkin' on Main and the disc golf tournament for the veterans was also this weekend.

Mayor Joens asked Ms. Jiménez if she wanted to give an update on the teen center.

Ms. Jiménez stated they were moving forward with the remodel/renovation items the city's community development department had come up with that needed to be done before they would be able to move into it. The plan would be presented to the building department soon so work could begin.

Council Member Garrison stated last month he went to look over the buses that the bus

company had brought to the transit station and the vendor mentioned the idea of moving our buses over to compressed natural gas, and the ability to do that city-wide and make that option available for other residents in town by putting in a self-filling station. He was curious if at some point we might have the transportation department come in and tell us whether they've looked into that and if it was an option for the city to pursue at some point.

Mr. Bartosh stated we have looked into it and haven't been able to find grant money to do it yet, and they would continue to look for grant funds.

PROCLAMATIONS

Proclaiming November 13, 2013, as "Kids at Hope Day" in Cottonwood—Dr. Paul Tighe will briefly explain the "Kids at Hope" concept

Mayor Joens read the proclamation declaring November 13, 2013, as Kids at Hope Day.

Dr. Tighe stated Kids at Hope was not a program; it was an ideology based on a belief that all children are capable of success with no exceptions. Years of research were behind this ideology to put together key ingredients so all kids are successful. Research has also shown that in order to change behavior we have to first change their beliefs. The first part of this journey of becoming a community of hope is getting everyone to believe that all children are capable of success. Kids at Hope was based on three universal truths; children succeed when they are surrounded by adults who believe they can succeed—no exceptions; children succeed when they have meaningful, sustainable relationships with caring adults; and children succeed when they can articulate their future in four domains rather than one—home/family, education/career, community/service, and hobbies/recreation. We started with a training session on a Saturday and 50 some people attended. The next step is to train a cadre of trainers in the next month or so to get people locally trained.

Mr. Bartosh stated he was on the Community Counts board and they had been involved in this program and allocated \$1,750 today to the "train the trainer program," and hopefully they would be looking at money to fund an Ameri-Corp volunteer to help with the program. It was about a \$5,000 cost and if anybody in the community was interested in helping support this worthy program this was a good opportunity.

Mayor Joens then presented the proclamation to Dr. Tighe.

Proclaiming November 17, 2013, as "Mitzvah Day" in Cottonwood—Barbara Lutrell will give a brief presentation on "Mitzvah Day"

Mayor Joens read the proclamation proclaiming November 17, 2013, as Mitzvah Day in Cottonwood.

Ms. Litrell stated this was their seventh year of bringing together volunteers to do projects on one day. Each year they have about 350 volunteers that complete about 40 projects in

Cottonwood, Sedona, Village of Oak Creek and Cornville. Ms. Litrell briefly went over the projects on the list for this year's Mitzvah Day and encouraged everyone to sign up to do good deeds on November 17.

Mayor Joens then presented the proclamation to Ms. Litrell.

Proclaiming the month of November as "American Diabetes Month"

Mayor Joens read the proclamation proclaiming the month of November as American Diabetes Month.

CALL TO THE PUBLIC

Lani Wyatt stated she had been able to get together with Morgan Scott and go around town and start looking at the sidewalks, driveways, and some of the areas where there shouldn't be big potholes. We have a lot of money to raise for these repairs right now, and she would keep coming back (to the council meetings.)

Mayor Joens stated we have some Smart Meter speaker forms here and what she would like them to do if they were working as a group is to appoint a person to speak for the group.

Patrice Rohmer, a Cottonwood resident, handed out a chart of the financial ramifications of opting out of the Smart Meter grid, and requested the council place discussion of Smart Meters on the council's agenda.

Mayor Joens asked if there was anyone who had something to say that hadn't already been said.

Joe Baumann stated he was concerned that individuals who were environmentally ill, which mean chemically, electrically, and electromagnetically, should have the ability to say they do not want a Smart Meter because it was going to affect them, and those individuals should not have to pay extra.

Ms. Cheri Woods requested two council members sponsor placing Smart Meters on the council agenda for discussion.

Terri Gage stated she was one of the people that was referred to (environmentally ill) and did not own a cell phone or have a computer and had kept her home tech-free. She asked the council to please use their authority to at least address the Arizona Corporation Commission, get a moratorium on this, and not allow them to put these meters in until we have good actual facts.

Cynthia Joy Strobel, the broker for C. Joy Real Estate, stated she had heard of Smart Meters in the recent past from some of her chemically sensitive clients who were looking for a safe place to live away from Smart Meters. She further stated the council had a responsibility to

the people they represented to discuss the matter of these devices and vote to prevent them from being installed before it was too late.

Jack Pease, a Cottonwood Ranch resident, stated he was present tonight regarding the issue of civil unions and asked the council to have more time for input in this matter and call for a public meeting so people can show their interest and give their views on this. He would like to see what civil union is all about, where it leads to, and how it will affect our community as a whole.

APPROVAL OF MINUTES—WORK SESSION OF AUGUST 13, 2013; WORK SESSION OF SEPTEMBER 10, 2013; JOINT WORK SESSION OF OCTOBER 3, 2013; WORK SESSION OF OCTOBER 8, 2013; REGULAR MEETING OF OCTOBER 15, 2013

Mayor Joens stated some of the minutes had grammatical errors that she and the City Clerk could talk about before they were finalized, and pointed out two sections on page 2 and 5 of the special work session minutes of October 3 that needed other corrections.

Vice Mayor Pfeifer moved to approve the work session of August 13, 2013, work session of September 10, 2013, joint work session of October 3, 2013, work session of October 8, 2013, and regular meeting of October 15, 2013, with what she (Mayor Joens) said. The motion was seconded by Council Member Garrison and carried.

CONSENT AGENDA—The following items are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

WALKIN' ON MAIN WINE FESTIVAL LIQUOR LICENSE APPLICATIONS FOR: ALCANTARA, BURNING TREE CELLARS, FIRE MOUNTAIN WINES, JAVELINA LEAP ESTATE VINEYARDS, OAK CREEK VINEYARDS-WINERY, PAGE SPRINGS CELLARS, & PILLSBURY WINE COMPANY NORTH

APPROVING A ONE-YEAR EXTENSION OF THE CONTRACT WITH D&K FARMING ENTERPRISES, LLC, FOR BIOSOLIDS HAULING AND DISPOSAL FOR THE COTTONWOOD WASTEWATER UTILITY

PERSON TRANSFER/LOCATION TRANSFER SERIES 6 (BAR) LIQUOR LICENSE APPLICATION FOR MICHAEL J. ANDERSON, APPLICANT FOR THE OLD TOWN BEER CO., LOCATED AT 1028B NORTH MAIN STREET

SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE APPLICATION FOR MICHAEL J. ANDERSON, APPLICANT FOR THE OLD TOWN BEER CO., LOCATED AT 1028B NORTH MAIN STREET

APPROVING THE ABANDONMENT OF A WATER AND WASTEWATER UTILITY EASEMENT

ACROSS APN 406-11-009X AND 406-11-009S

COMMUNITY AGENCY FUNDING AGREEMENT FOR OLD TOWN CENTER FOR THE ARTS

COMMUNITY AGENCY FUNDING AGREEMENT-VERDE VALLEY SENIOR CITIZENS ASSOCIATION

Mr. Bartosh stated Mr. Eaton was here tonight and would like to make a couple of comments on item number six.

Council Member Garrison moved to approve (the consent agenda) as presented, minus item six. The motion was seconded by Vice Mayor Pfeifer, and carried.

COMMUNITY AGENCY FUNDING AGREEMENT FOR OLD TOWN CENTER FOR THE ARTS

William Eaton, owner of the Old Town Center for the Arts, stated on behalf of himself and his wife Christy, they deeply appreciated their (the city council) support and planned to make good on the investment they made in them.

Council Member Garrison moved to approve (consent agenda item number six.) The motion was seconded by Vice Mayor Pfeifer, and carried.

NEW BUSINESS—The following items are for Council discussion, consideration, and possible legal action.

APPOINTING MEMBERS TO THE CITY'S PUBLIC SAFETY PERSONNEL RETIREMENT BOARD

Mr. Rodriguez stated they were asking for the appointment of Kent Hellman and reappointment of J.J. Silvas to the city's Public Safety Personnel Retirement Board. Mr. Hellman was an AZ POST certified police officer and small business owner in Cottonwood who had served on the Board of Adjustment in the past. Mr. Silvas had served on the Public Safety Board since 2009.

Council Member Garrison stated it was with much regret that he didn't get to fulfill his term on this board. He had approached Mr. Hellman to apply for the position because he felt he would be a worthy person to fill that seat.

Council Member Garrison then moved to appoint Mr. Kent Hellman to the Public Safety Personnel Retirement Board for the remainder of a term that expires July 31, 2016, and to reappoint J.J. Silvas to the board to a new four-year term expiring December 31, 2017. The motion was seconded by Vice Mayor Pfeifer and carried.

PURCHASE OF A PORTABLE STAND-BY EMERGENCY POWER GENERATOR FOR THE UTILITY DEPARTMENT

Mr. Biggs requested the council consider the purchase of a diesel powered electrical generator. The reason for the purchase was the loss of APS power in the Verde Villages would leave some wells inoperative and would result in loss of water for some customers. Staff would also like to use this generator as a backup when they were doing maintenance on the city's lift stations. The lift stations had their own generators, but they brought in a rental unit to supply power if needed while the main generator was down. A request for bid was advertised and three companies responded. The apparent low bidder was Lightning Power Electric Industry at a price of \$65,700.

Mayor Joens reiterated we are doing this for our Verde Village wells and we are expending these funds on behalf of our Verde Village neighbors.

Mr. Biggs stated Verde Villages 1-5 have no interconnects to wells that do have generators and if power was lost out there for an extended period of time water service would be lost.

Council Member Dowling moved to approve the purchase of a portable trailer mounted standby emergency power generator from Lightning Power Electric Industry, Inc., for the amount of \$65,700. The motion was seconded by Mayor Joens and carried.

RESOLUTION NUMBER 2722--APPOINTING A MEMBER TO FILL A VACANCY ON THE CITY'S INDUSTRIAL DEVELOPMENT AUTHORITY BOARD

Ms. Jiménez stated there was a vacancy on the city's Industrial Development Authority Board. This board was formed in 1985 to expand manufacturing, industrial and commercial enterprises within the City of Cottonwood and was a means for qualifying applicants to locate or improve qualified projects in the city through the use of industrial development bonds. The opening was advertised for quite a while and we had not received any applications, so she contacted former council member Linda Norman to see if she would be interested in serving on this board. Ms. Norman had served on many other boards for the city and was familiar with the city's workings.

Mayor Joens questioned if anyone from the public had any questions regarding this item, and Lani Wyatt asked what the requirements were to serve on the board.

Ms. Jimenez stated she did not have the board requirements with her, but there was another position opening on the board if she was interested in applying and the Human Resource Department had the application and announcement which explained the requirements.

Mayor Joens stated what the council looks for in applicants is what experience they have for the board position that is open.

Council Member Dowling moved to approve Resolution Number 2722, appointing Linda Norman to the city's IDA board for a two-year term. The motion was seconded by Vice Mayor Pfeifer and carried.

Mayor Joens requested the City Clerk read Resolution Number 2722 by title only.

RESOLUTION NUMBER 2722

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, APPOINTING LINDA NORMAN A MEMBER OF THE INDUSTRIAL DEVELOPMENT AUTHORITY BOARD FOR THE CITY OF COTTONWOOD AND ESTABLISHING HER TERM OF OFFICE.

RESOLUTION NUMBER 2723--MAKING KNOWN THE CITY'S COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING

Mr. Hausaman stated in the past staff has brought resolutions to the council to support the principals of fair housing which is usually done in April. Community development used to do the CDBG project funding and now the engineering department has taken over these duties, and they did not get a chance to do that (bring a resolution to the council) in April.

Vice Mayor Pfeifer moved to approve Resolution Number 2723. The motion was seconded by Mayor Joens and carried.

Mayor Joens requested the City Clerk read Resolution Number 2723 by title only.

RESOLUTION NUMBER 2723

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.

CLAIMS & ADJUSTMENTS

Council Member Dowling moved to pay the claims. The motion was seconded by Vice Mayor Pfeifer and carried.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Vice Mayor Pfeifer. The regular meeting adjourned at 7:15 p.m.

Diane Joens, Mayor

ATTEST:

Marianne Jiménez, City Clerk

CERTIFICATION OF MINUTES

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of Cottonwood held on November 5, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date